

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE: NURTURE BABY FOOD
LITIGATION

Master File No.: 1:21-cv-01217-MKV

This Document Relates to:

All Actions

**THE STEWART MOVANTS' NOTICE OF SUPPLEMENTAL AUTHORITY IN
SUPPORT OF THEIR MOTION FOR LEAD COUNSEL**

Plaintiffs Nicole Stewart, Shannon Fitzgerald, Summer Apicella, Jodi Smith, Lillian Hampton, Kelly McKeon, Jen Macleod, Tiffanie Skibicki, Angela Gutierrez, Edelin Altuve, Brandy Daniels, Diego Galeana, April Gillens, Jandrea Glenn, Elizabeth Hall, Savanna Jarrell, Laszlo Kovacs, Cori Lau, Michelle Lyles, Christina Martinson, Melissa Mejia, Chey'na Micciche, Julia Milton, Michael Morrow, Stacy Musto, Gladys Okolo, and Lidia Tilahun ("Stewart Movants"), by and through their undersigned counsel, respectfully file this Notice of Supplemental Authority. The authority attached hereto as Exhibit 1 January 12, 2022 Order Granting in Part and Denying in Part Motion to Dismiss and/or Stay, *In Re Plum Baby Food Litigation*, Case No. 4:21-cv-00913-YGR (N.D. Calif.) (the "Motion to Dismiss Order" or "Order"), further supports the Stewart Movants' Motion for Appointment of Interim Co-Lead Counsel and Executive Committee Pursuant to Federal Rule of Civil Procedure 23(g) [Docket 69].

Counsel for Stewart Movants recently received the Motion to Dismiss Order in a case nearly identical to this concerning nondisclosed Heavy Metals in baby food manufactured and sold by Plum Organics. The Order is a positive reflection on the litigation abilities of the Stewart Movants' counsel and proposed leadership slate that warrants their appointment to lead this consolidated action.

The Motion to Dismiss Order is directly relevant to the experience and knowledge of the Stewart Movants' counsel. With this Order, counsel have established that nondisclosed heavy metals in baby food is a matter ripe for litigation, and they have demonstrated experience successfully litigating these types of baby food cases. These facts further support counsels' leadership appointment here. Moreover, the Order exhibits counsel's ability to collaborate as a leadership group to advance litigation in favor of their clients.

In light of the Motion to Dismiss Order, Stewart Movants' respectfully file this Notice of Supplemental Authority.

Dated: January 18, 2022

Respectfully submitted,

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